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HARNESS, DICKEY & PIERCE, P.L.C.
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EXAMINER

SHIBRU, HELEN

ART UNIT	PAPER NUMBER
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2621

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/716,629	Applicant(s) SEO ET AL.	
	Examiner HELEN SHIBRU	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/14/08,06/09/08,04/29/08,04/09/08,01/14/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendments, filed 05/22/2008, have been entered and made of record. Claims 1-25 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-5 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims recite the second area storing a playlist and clip information. However according to figure 1 and paragraphs 0019, 0020 and 0023 the playlist and the clip information are not stored in the same area. See figure 1 where it shows the areas of PLAYLIST, CLIPINF, and STREAM. Therefore the claims are rejected based on broad interpretation.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (US PG PUB 20040057700 A1) in view of Saeki (US PG PUB 2001/0043790 A1).

Regarding claim 1, Okada discloses a computer readable medium having a data structure for managing reproduction of data recorded on the computer readable medium, comprising: a first area storing at least first and second clip stream files (see paragraph 0207 and figs. 1 and 4); the first clip stream file including video data representing at least one still image (see paragraphs 0208, 0211-0212 and 0570); the second clip stream file including at least audio data; and a second area storing a playlist the playlist including at least one playitem and at least one sub-playitem, the playitem indicating at least a portion of the first clip stream file to reproduce, the sub-playitem indicating at least a portion of the second clip stream file to reproduce (see figs. 4, 42A-B and paragraphs 0212, 0280-0283).

Claim 1 differs from Okada in that the claim further requires the second area storing at least one clip information file, the clip information file being associated with at least the first clip stream file, the clip information file providing a map for the first clip stream file, the map mapping duration information, presentation time information, or both to address information for each image in the first clip stream file.

In the same field of endeavor Saeki discloses an area storing at least one clip information file, the clip information file being associated with at least the first clip stream file, the clip information file providing a map for the first clip stream file, the map mapping duration information, presentation time information, or both to address information for each still image in

the first clip stream file (see figures 6, 9, col. 12 lines 1-34, col. 15 line 29-col. 16 line 4, and also figures 7A and 7B). Therefore in light of the teaching in Sacki it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Okada by providing clip information file associated with clip stream file, and duration mapping in order to control the data.

Regarding claim 2, Okada discloses the playitem and the sub-playitem provide for reproducing at least one still image and audio data, respectively, such that the still image and the audio data are played in synchronization with one another (see 0207-0212).

Regarding claim 3, Regarding claim 3, Okada discloses the playitem indicates a start point and an end point for reproducing the video data in the first clip stream file and the sub-playitem indicates a start point and an end point for reproducing the audio data in the second clip stream file (see fig. 42).

Regarding claim 4, Okada discloses the playitem indicates a start point and an end point for reproducing the video data in the first clip stream file and the sub-playitem indicates a start point and an end point for reproducing the audio data in the second clip stream file (see fig 42).

Regarding claim 5, Okada discloses the first clip stream file includes video data representing more than one still image (see paragraphs 0211-0212); and the playitem indicates to reproduce a number of the still images (see fig. 4 and paragraph 0212).

Claim 6 is rejected for the same reason as discussed in claim 1 above.

Regarding claim 7, Okada discloses a method of reproducing a data structure for managing reproduction of data recorded on a recording medium, comprising: reproducing at least first and second clip stream files from the recording medium, the first clip stream file

including video data representing at least one still image, the second clip stream file including at least audio data, reproducing a playlist from the recording medium, the playlist including at least one playitem and at least one sub-playitem, the playitem indicating at least a portion of the first clip stream file to reproduce, the sub-playitem indicating at least a portion of the second clip stream file to reproduce (see paragraphs 0209, 0033, 0703 and rejection of claim 1 above).

Claim 7 differs from Okada in that he claim further requires reproducing at least one clip information file from the recording medium, the clip information file being associated with at least the first clip stream file, the clip information file providing a map for the first clip stream file, the map mapping duration information, presentation time information, or both to address information for each image in the first clip stream file.

In the same field of endeavor Saeki discloses reproducing at least one clip information file from the recording medium, the clip information file being associated with at least the first clip stream file, the clip information file providing a map for the first clip stream file, the map mapping duration information, presentation time information, or both to address information for each image in the first clip stream file (see figures 6, 9, col. 12 lines 1-34, col. 15 line 29-col. 16 line 4, claim 5 of Saeki, and also figures 7A and 7B,). Therefore in light of the teaching in Saeki it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Okada by providing clip information file associated with clip stream file, and duration mapping in order to control the data.

Regarding claim 8, Okada discloses an apparatus for recording a data structure for managing reproduction of data recorded on a recording medium, comprising: an optical recording device configured to record data on the recording medium (see paragraphs 0146 and

0151); a controller (see fig. 34) configured to control the optical recording device to record at least first and second clip stream files, a playlist on the recording medium, the first clip stream file including video data representing at least one still image, the second clip stream file including at least audio data, the playlist including at least one playitem and at least one sub-playitem, the playitem indicating at least a portion of the first clip stream file to reproduce, the sub-playitem indicating at least a portion of the second clip stream file to reproduce (see rejection of claim 1 above and fig. 48).

Claim 8 differs from Okada in that the claim further requires the clip information file being associated with at least the first clip stream file, the clip information file providing a map for the first clip stream file, the map mapping duration information, presentation time information, or both to address information for each image in the first clip stream file.

In the same field of endeavor Saeki discloses the clip information file being associated with at least the first clip stream file, the clip information file providing a map for the first clip stream file, the map mapping duration information, presentation time information, or both to address information for each image in the first clip stream file (see figures 6, 9, col. 12 lines 1-34, col. 15 line 29-col. 16 line 4, claim 5 of Saeki, and also figures 7A and 7B,). Therefore in light of the teaching in Saeki it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Okada by providing clip information file associated with clip stream file, and duration mapping in order to control the data.

Regarding claim 9, the limitation of claim 9 can be found in claims 7 and 8. Therefore claim 9 is analyzed and rejected for the same reason as discussed in claims 7 and 8 above.

Regarding claims 10-13 are rejected for the same reasons as discussed in claims 2-5 above.

Regarding claims 14-17 are rejected for the same reasons as discussed in claims 2-5 above.

Regarding claims 18-21 are rejected for the same reasons as discussed in claims 2-5 above.

Regarding claims 22-25 are rejected for the same reasons as discussed in claims 2-5 above.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571)272-7329.

The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HELEN SHIBRU/
Examiner, Art Unit 2621
August 8, 2008

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621

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